

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: DE MEUTER et al. Confirmation: 1058
Serial No.: 10/509,835 Art Unit: 1794
Filed: September 30, 2004 Examiner: N. Dees
For: Sugar-free hard coatings prepared from
liquid maltitol comprising DP₄₊ fraction

TRANSMITTAL ACCOMPANYING PETITION TO REVIVE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 25, 2010

Sir:

Applicants are concurrently petitioning to revive this application for unintentional abandonment and to have replacement figure 1 entered and approved. The application was allowed and on information and belief the issue fee was paid.

Applicants concurrently filed petition responds to the Notice of Abandonment dated May 19, 2010.

The best currently available photo (Figure 1) is enclosed with the petition. It will be appreciated that due to the lapse of time, another 'newer' - or 'fresher' - copy of Figure 1 is not available.

It will be appreciated that this application is the U.S. national stage of a PCT application filed in 2003, and therefore Applicants respectfully submit that the aforesaid Notice relating to a replacement Figure 1 - said Notice issuing almost seven years after the PCT application was filed - is a most unfortunate delay.

Applicants respectfully point out the Figure 1 as originally filed in this U.S. National Stage case was accepted and was actually part of the published U.S. application.

Applicants respectfully request the Notice and its cross referenced request for replacement Figure 1 be rescinded inasmuch as the original Figure 1 was acceptable for publication. Otherwise, favorable decision on the concurrent petition for revival is requested.

To the extent necessary during prosecution Applicants hereby authorize the Commissioner to charge any unintentionally omitted fee regarding the concurrently filed petition, and such fees as required to maintain pendency of the present application, including application processing, extension, extra claims, statutory disclaimer, issue, and publication fees, to Deposit Account No. 06-1135 regarding 7393/84118.

Respectfully submitted,

_____/Kendrew H. Colton_____

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